

APR 10 2015

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

JULIA C. DODLEY, CLERK  
BY:   
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UNITED STATES OF AMERICA	)	Criminal Action No. 5:09CR00018
	)	(Civil Action No. 5:13CV80649)
v.	)	
	)	<b><u>FINAL ORDER</u></b>
JAMES RICHARD HACKLEY, IV,	)	
	)	By: Hon. Glen E. Conrad
Defendant.	)	Chief United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** and **ADJUDGED** that the government's motion to dismiss (ECF No. 160) is **GRANTED**; Hackley's motion pursuant to 28 U.S.C. § 2255 (ECF No. 151) is **DISMISSED**, and his request for an evidentiary hearing is **DENIED**; and this action shall be **STRICKEN** from the active docket of this court.

Further, finding that Hackley has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to the parties.

ENTER: This 10<sup>th</sup> day of April, 2015.

  
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Chief United States District Judge